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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/621,557
Filing Date: July 17, 2003
Appellant(s): FISCHER ET AL.

Benjamin A. Balser
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/20/08 appealing from the Office action mailed 11/14/07.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US006804232B1	Donaghey	10-2004
US006067444A	Cannon et al.	5-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-8, 10-13, 15-18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Donaghey (US006804232B1).

Regarding Claims 1 and 11, Donaghey discloses an apparatus (see FIG. 1, 2, Hub 110) processing a method (see FIG. 11, method) comprising:

(1) a receiver (see FIG. 2, a receiving means in a RF transceiver 230; see col. 4, line 40-15) for:

(i) receiving a first frame (see FIG. 11, S1120-1130, receiving/listening attached request frame) from a station (see FIG. 1, Personal Electronic Device (PEA) 120) in a local area network (see FIG. 1, in a local network 100; see col. 3, line 17-45), wherein said first frame uses a first address as a medium access control address for said station in said local area network (see FIG. 1,6, request frame uses a MAC/AMAC 610 as medium access control address of a PEA in local network 100; see col. 3, line 60-35,60 to col. 4, line 5; see col. 6, line 50-65; see col. 7, line 60 to col. 8, line 5; see col. 11, line 45-55), and

(ii) receiving a third frame (see FIG. 11, S1150, receiving/listening attach confirmation message) from said station via said local area network (see col. 11, line 58-65; receiving/listening attached confirmation message from a PEA 120 in local network), wherein said third frame uses a second address (see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620), rather than said first address (see FIG. 11, a new assigned address is not the same as MAC/AMAC 610), as the medium access control address for said station in said local area network (see col. 11, line 59-65; a new address is assigned as a new MAC address for PEA 120);

(2) a processor (see FIG. 2, digital control logic (DCL) 220; see FIG. 4, DCL 460) for assigning an association identifier to said station (see col. 4, line 10-42; col. 6, line 50-65; DCL places/assigns stream number 620 to PEA 120); and

(3) a transmitter (see FIG. 2, a transmitting means in a RF transceiver 230; see col. 4, line 40-15) for:

(i) transmitting a second frame (see FIG. 11, S1140, sending an attached assign message) to said station via said local area network (see FIG. 1, to PEA 120 via local network 100; see col. 11, line 59-65), wherein said second frame comprises said association identifier (see FIG. 6, stream no. 620; see col. 6, line 50-65) and uses said first address as the medium access control address for said station in said local area network (see FIG. 11, S1140, assign message includes stream no. and MAC/AMAC 610 of PEA 120 as a new assigned address in a local network; see col. 11, line 55-65);

wherein said second address (see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620) is a combination of (1) a portion of said first address (see FIG. 6, AMAC 610) and (2) at least a portion of said association identifier (see FIG. 6, stream no. 620; see col. 10, line 50-65; see col. 11, line 30-65; a new assigned address is created based on combined address/tag of a portion/share/piece of MAC/AMAC 610 and a portion/share/piece of stream no. 620).

Regarding Claim 6 and 16, Donaghey discloses an apparatus (see FIG. 1, 3, Personal Electronic Device (PEA) 120) processing a method (see FIG. 11, method) comprising:

(1) a transmitter (see FIG. 3, a transmitting means in a RF transceiver 330; see col. 4, line 45-52) for:

(i) transmitting a first frame (see FIG. 11, S1120-1130, see FIG. 12, S1230, sending attached request frame) from said apparatus (see FIG. 1, from Personal Electronic Device (PEA) 120) in a local area network (see FIG. 1, in a local network 100; see col. 3, line 17-45), wherein

said first frame uses a first address as a medium access control address for said apparatus in said local area network (see FIG. 1,6, request frame uses a MAC/AMAC 610 as medium access control address of a PEA in local network 100; see col. 3, line 60-35,60 to col. 4, line 5; see col. 6, line 50-65; see col. 7, line 60 to col. 8, line 5; see col. 11, line 45-55; see col. 12, line 20-26), and

(ii) transmitting a third frame (see FIG. 11, S1150, see FIG. 12, S1250, attach confirmation message) from said apparatus via said local area network (see col. 11, line 58-65; see col. 12, line 30-35; sending attached confirmation message from a PEA 120 in local network), wherein said third frame uses a second address (see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620), rather than said first address (see FIG. 11, a new assigned address is not the same as MAC/AMAC 610), as the medium access control address for said apparatus in said local area network (see col. 11, line 59-65; a new address is assigned as a new MAC address for PEA 120); and

(2) a receiver (see FIG. 3, a receiving means in a RF transceiver 330; see col. 4, line 45-52) for:

(i) receiving a second frame (see FIG. 11, S1140, see FIG. 12, S1240; receiving an attached assign message) at said apparatus via said local area network (see FIG. 1, at PEA 120 via local network 100; see col. 11, line 59-65; see col. 12, line 25-30), wherein said second frame comprises an association identifier (see FIG. 6, stream no. 620; see col. 6, line 50-65) and uses said first address as the medium control access address for said apparatus in said local area network (see FIG. 11, S1140, assign message includes stream no. and MAC/AMAC 610 of PEA 120 as a new assigned address in a local network; see col. 11, line 55-65);

wherein said second address (see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620) is a combination of (1) a portion of said first address (see FIG. 6, AMAC 610) and (2) at least a portion of said association identifier (see FIG. 6, stream no. 620; see col. 10, line 50-65; see col. 11, line 30-65; a new assigned address is created based on combined address/tag of a portion/share/piece of MAC/AMAC 610 and a portion/share/piece of stream no. 620).

Regarding Claims 2,7, 12 and 17, Donaghey discloses said association identifier is unique among the stations that are currently active in said local area network (see FIG. 7A-B, separate/specific/unique steam number is assigned for each active PEA in local network; see col. 7, line 4 to col. 8, line 4).

Regarding Claims 3 and 13, Donaghey discloses transmitting a fourth frame (see FIG. 11, S1160, see FIG. 12, S1260; sending attached confirmation acknowledgment message from a hub) to said station via said local area network (see col. 11, line 65 to col. 12, line 5; to PEA 120 via a local network), wherein said fourth frame uses said second address as the medium access control address for said station in said local area network (see col. 11, line 65 to col. 12, line 5,35-40; confirmation acknowledgment message uses a new address as a new MAC address for PEA 120 in local area network).

Regarding Claims 8 and 18, Donaghey discloses receiving a fourth frame (see FIG. 11, S1160, see FIG. 12, S1260; receiving attached confirmation acknowledgment message at PEA) at said apparatus via said local area network (see col. 11, line 65 to col. 12, line 5; at PEA 120 via a local network), wherein said fourth frame uses said second address as the medium access control address for said apparatus in said local area network (see col. 11, line 65 to col. 12, line

5,35-40; confirmation acknowledgment message uses a new address as a new MAC address for PEA 120 in local area network).

Regarding 5,10, 15 and 20, Donaghey discloses wherein said first address is 48 bits in length (see FIG. 1,6, a MAC 610 as medium access control address of a PEA in local network 100; see col. 3, line 60-35,60 to col. 4, line 5; see col. 6, line 50-65; see col. 7, line 60 to col. 8, line 5; see col. 11, line 45-55; note that it clear that, MAC address must have 48 bits in length; see cited Newton's telecom dictionary per IEE 802 standard, page 411).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4,9,14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donaghey in view of Cannon (US006067444A)

Regarding Claims 4,9,14 and 19, Donaghey discloses association identifier has a length as set forth above in claims 1,6,11 and 15.

Donaghey does not explicitly disclose 11 bits. However, Cannon teaches association identifier has 11 bits in length (see FIG. 6, Frame/stream information (FI) word has 11 bits; see col. 11, line 16-21). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide 11 bits length, as taught by Cannon in the system

of Donaghey, so that it would provide 11 bits wide/worth frame and cycle numbers; see Cannon col. 11, line 20-25.

(10) Response to Argument

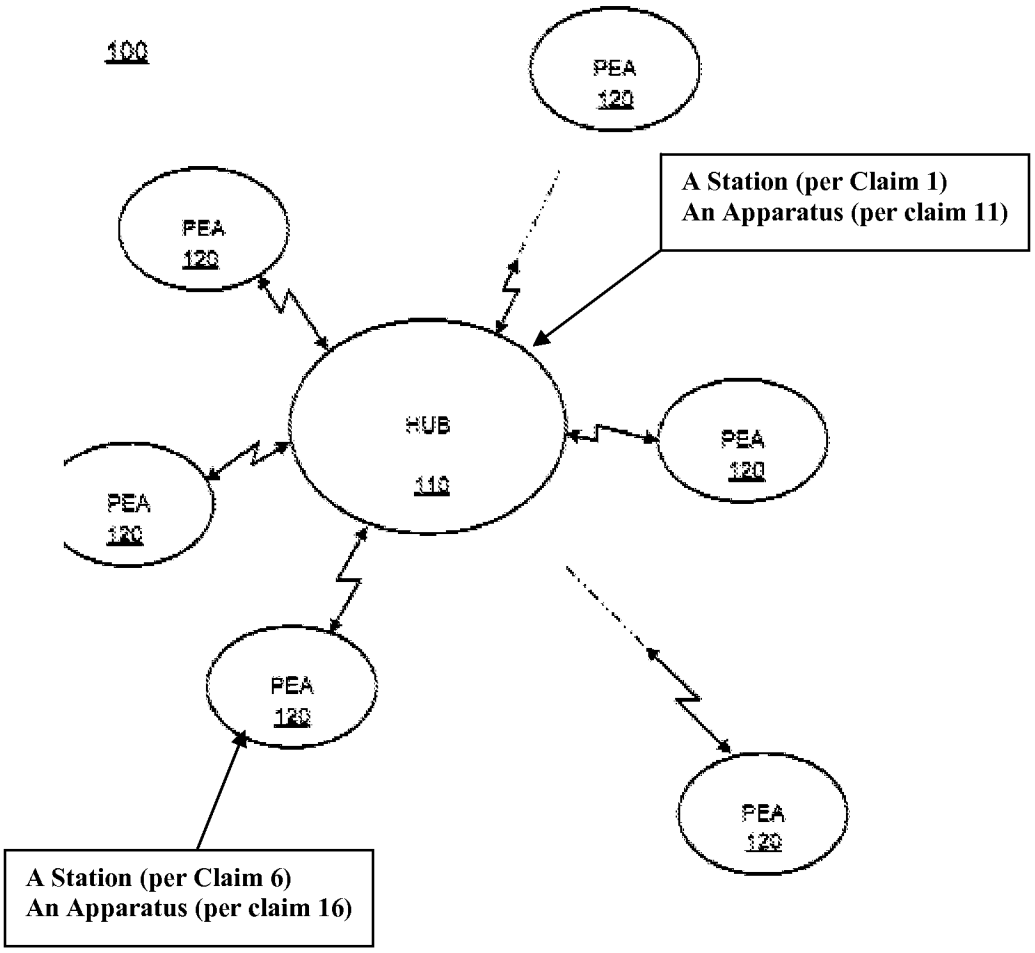

FIG. 1

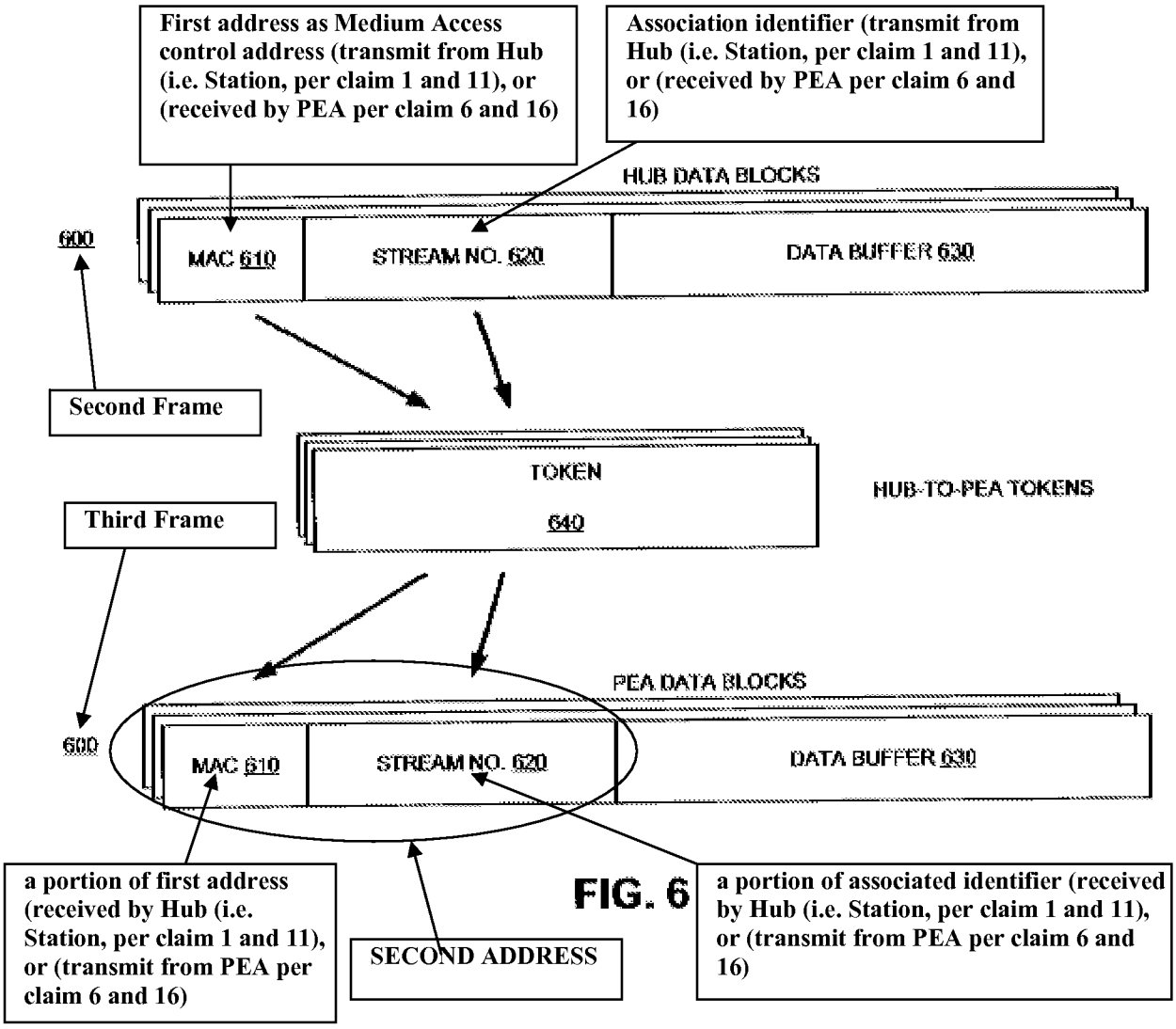
First address as Medium Access control address (transmit from Hub (i.e. Station, per claim 1 and 11), or (received by PEA per claim 6 and 16)
Association identifier (transmit from Hub (i.e. Station, per claim 1 and 11), or (received by PEA per claim 6 and 16)
HUB DATA BLOCKS
600
MAC 610
STREAM NO. 620
DATA BUFFER 630
Second Frame
TOKEN
640
HUB-TO-PEA TOKENS
Third Frame
PEA DATA BLOCKS
600
MAC 610
STREAM NO. 620
DATA BUFFER 630
a portion of first address (received by Hub (i.e. Station, per claim 1 and 11), or (transmit from PEA per claim 6 and 16)
SECOND ADDRESS
a portion of associated identifier (received by Hub (i.e. Station, per claim 1 and 11), or (transmit from PEA per claim 6 and 16)

FIG. 6

A MEHTOD PERFORM BY THE HUB COMMUNCATION WITH PEA

(Applicable to claim inventions set forth in claims 1 and 11 (i.e. HUB) and claims 6 and 16 (i.e. PEA).

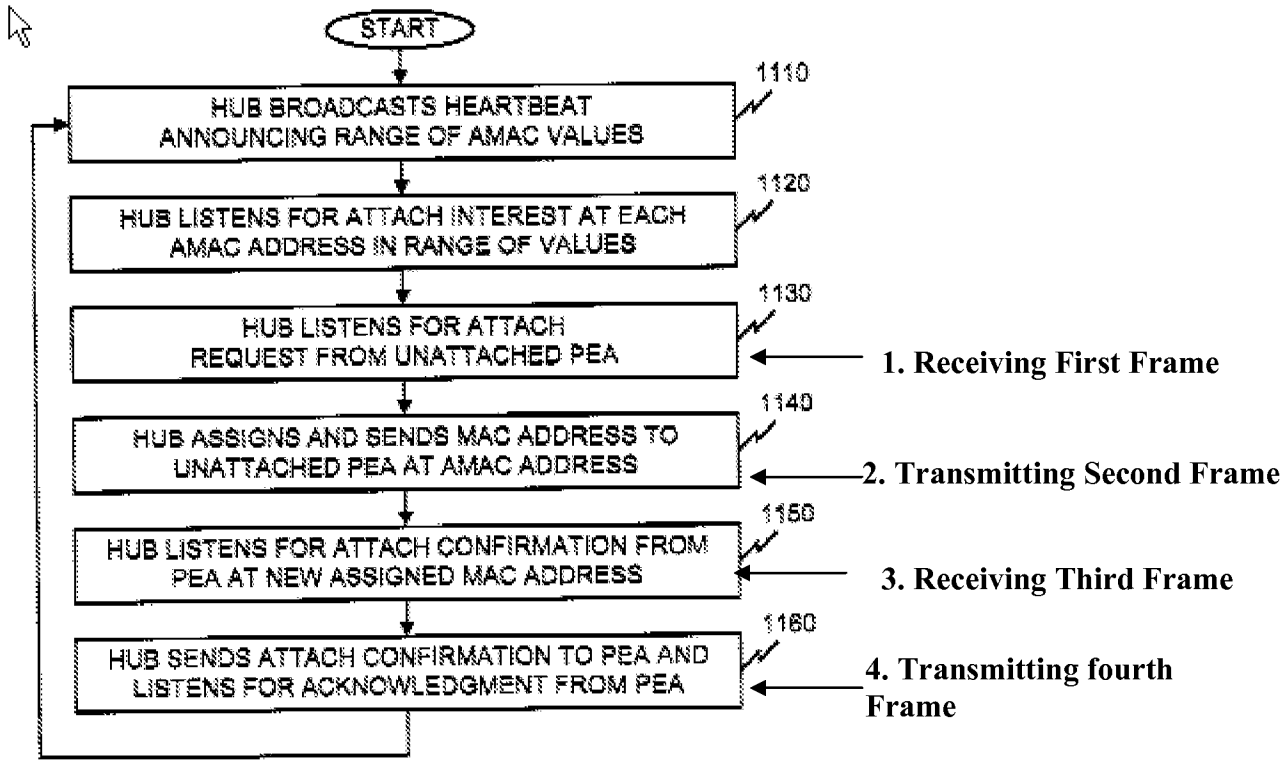

FIG. 11

Third frame uses **second address** (**see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620**) is a combination of

(1) a portion of said first address (**see FIG. 6, AMAC 610**) and

(2) at least a portion of said association identifier (**see FIG. 6, stream no. 620; see col. 10, line 50-65; see col. 11, line 30-65; a new assigned address is created based on combined**

address/tag of a portion/share/piece of MAC/AMAC 610 and a portion/share/piece of stream no. 620)

A. Claims 1-3,5-8,10-13,15-18 and 20 which are rejected under 35 USC § 102(e) in view of Donaghey

1. Claims 1-3 and 5

Regarding claims 1-3 and 5, the applicant argued that, "…claim 1 …Donaghey does not disclose, teach or suggest at least…*receiving a third frame from said station via said local area network, wherein said third frame uses a second address, rather than said first address, as the medium access control address for said station in said local area network; wherein said second address is a combination of (1) a portion of said first address and (2) at least a portion of said associated identifier*…In Donaghey the stream number is assigned to the communication received or sent from the PEA, *the stream number is not assigned to the PEA itself*… for at least the reason that independent claim 1 is allowable over the cited references of the record, dependent claims 2, 3 and 5 are allowable…" in pages 6-9.

In response to applicant's argument, **the examiner respectfully disagrees** with argument above.

Regarding claim 1, Donaghey discloses receiving a third frame (**see FIG. 11, S1150, receiving/listening attach confirmation message**) from said station via said local area network (**see col. 11, line 58-65; receiving/listening attached confirmation message from a PEA 120 in local network**), wherein said third frame uses a second address (**see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620**), rather than said first address (**see FIG. 11, a new assigned address is not the**

same as MAC/AMAC 610), as the medium access control address for said station in said local area network (**see col. 11, line 59-65; a new address is assigned as a new MAC address for PEA 120**); wherein said second address **(see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620**) is a combination of (1) a portion of said first address (**see FIG. 6, AMAC 610**) and (2) at least a portion of said association identifier (**see FIG. 6, stream no. 620; see col. 10, line 50-65; see col. 11, line 30-65; a new assigned address is created based on combined address/tag of a portion/share/piece of MAC/AMAC 610 and a portion/share/piece of stream no. 620**).

Donaghey further discloses a processor (s**ee FIG. 2, digital control logic (DCL) 220; see FIG. 4, DCL 460**) for assigning an association identifier to said station (**see col. 4, line 10-42; col. 6, line 50-65; DCL places/assigns stream number 620 to PEA 120**). Thus, it is also clear that stream number is placed/assigned to PEA 120 who is transmitting the stream.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ***the stream number is not assigned to the PEA itself***) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thus, arguing "the stream number is not assigned to the PEA itself" is irrelevant since nowhere in the broad claim recites, "an association identifier is "directly/itself", "indirectly" assigned to said station as station identifier".

Since Donaghey clearly discloses the argued limitation in independent claim 1 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claims 2, 3, and 5.

2. Claims 6-8 and 10

Regarding claims 6-8 and 10, the applicant argued that, "…claim 6 …Donaghey does not disclose, teach or suggest at least *transmitting a third frame from said apparatus via said local area network, wherein said third frame uses a second address, rather than said first address, as the medium access control address for said apparatus in said local area network; wherein said second address is a combination of (1) a portion of said first address and (2) at least a portion of said association identifier*… In Donaghey the stream number is assigned to the communication received or sent from the PEA, *the stream number is not assigned to the PEA itself* …for at least the reason that independent claim 6 is allowable over the cited references of the record, dependent claims 7,8 and 10 are allowable" in pages 10-12.

In response to applicant's argument, t**he examiner respectfully disagrees** with argument above.

Regarding claims 6, Donaghey discloses transmitting a third frame (**see FIG. 11, S1150, see FIG. 12, S1250, attach confirmation message**) from said apparatus via said local area network (**see col. 11, line 58-65; see col. 12, line 30-35; sending attached confirmation message from a PEA 120 in local network**), wherein said third frame uses a second address (**see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620**), rather than said first address (**see FIG. 11, a new**

assigned address is not the same as MAC/AMAC 610), as the medium access control address for said apparatus in said local area network (**see col. 11, line 59-65; a new address is assigned as a new MAC address for PEA 120**), wherein said second address (**see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620**) is a combination of (1) a portion of said first address (**see FIG. 6, AMAC 610**) and (2) at least a portion of said association identifier (**see FIG. 6, stream no. 620; see col. 10, line 50-65; see col. 11, line 30-65; a new assigned address is created based on combined address/tag of a portion/share/piece of MAC/AMAC 610 and a portion/share/piece of stream no. 620**).

Donaghey further discloses a processor (s**ee FIG. 2, digital control logic (DCL) 220; see FIG. 4, DCL 460**) for assigning an association identifier to said station (**see col. 4, line 10-42; col. 6, line 50-65; DCL places/assigns stream number 620 to PEA 120**). Thus, it is also clear that stream number is placed/assigned to PEA 120 who is transmitting the stream.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ***the stream number is not assigned to the PEA itself***) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thus, arguing "the stream number is not assigned to the PEA itself" is irrelevant since nowhere in the broad claim recites, "an association identifier "directly" or "indirectly" assigned to said station as station identifier".

Since Donaghey clearly discloses the argued limitation in independent claim 6 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claims 7, 8, and 10.

3. Claims 11-13 and 15

Regarding claims 11-13 and 15, the applicant argued that, "...claim 11 ...Donaghey does not disclose, teach or suggest at least *a transmitter for: transmitting a second frame to said station via said local area network, wherein said second frame comprises said association identifier and uses said first address as the medium access control address for said station in said local area network; wherein said second address is a combination of (1) a portion of said first address and (2) at least a portion of said association identifier*... In Donaghey the stream number is assigned to the communication received or sent from the PEA, *the stream number is not assigned to the PEA itself*... for at least the reason that independent claim 11 is allowable over the cited references of the record, dependent claims 12, 13 and 15 are allowable" in pages 13-16.

In response to applicant's argument, t**he examiner respectfully disagrees** with argument above.

Regarding claims 11, Donaghey discloses a transmitter (see **FIG. 2, a transmitting means in a RF transceiver 230; see col. 4, line 40-15**) for:

(i) transmitting a second frame (**see FIG. 11, S1140, sending an attached assign message**) to said station via said local area network (**see FIG. 1, to PEA 120 via local network 100; see col. 11, line 59-65**), wherein said second frame comprises said association identifier

(see FIG. 6, stream no. 620; see col. 6, line 50-65) and uses said first address as the medium access control address for said station in said local area network **(see FIG. 11, S1140, assign message includes stream no. and MAC/AMAC 610 of PEA 120 as a new assigned address in a local network; see col. 11, line 55-65)**; wherein said second address **(see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620)** is a combination of (1) a portion of said first address **(see FIG. 6, AMAC 610)** and (2) at least a portion of said association identifier **(see FIG. 6, stream no. 620; see col. 10, line 50-65; see col. 11, line 30-65; a new assigned address is created based on combined address/tag of a portion/share/piece of MAC/AMAC 610 and a portion/share/piece of stream no. 620)**.

Donaghey further discloses a processor (s**ee FIG. 2, digital control logic (DCL) 220; see FIG. 4, DCL 460**) for assigning an association identifier to said station **(see col. 4, line 10-42; col. 6, line 50-65; DCL places/assigns stream number 620 to PEA 120)**. Thus, it is also clear that stream number is placed/assigned to PEA 120 who is transmitting the stream.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ***the stream number is not assigned to the PEA itself)*** are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thus, arguing "the stream number is not assigned to the PEA itself" is irrelevant since nowhere in the broad claim recites, "an association identifier is "directly/itself", "indirectly" assigned to said station as station identifier".

Since Donaghey clearly discloses the argued limitation in independent claim 11 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claims 12, 13, and 15.

4. Claims 16-18 and 20

Regarding claims 16-18 and 20, the applicant argued that, "...claim 16 ...Donaghey does not disclose, teach or suggest at least a receiver for: (i) receiving a second frame at said apparatus via said local area network, wherein said second frame comprises an association identifier and uses said first address as the medium control access address for said apparatus in said local area network; wherein said second address is a combination of (1) a portion of said first address and (2) at least a portion of said association identifier... In Donaghey the stream number is assigned to the communication received or sent from the PEA, *the stream number is not assigned to the PEA itself...* for at least the reason that independent claim 16 is allowable over the cited references of the record, dependent claims 17, 18 and 20 are allowable" in pages 16-19.

In response to applicant's argument, **the examiner respectfully disagrees** with argument above.

Regarding claims 16, Donaghey discloses a receiver (**see FIG. 3, a receiving means in a RF transceiver 330; see col. 4, line 45-52**) for:

(i) receiving a second frame (**see FIG. 11, S1140, see FIG. 12, S1240; receiving an attached assign message**) at said apparatus via said local area network (**see FIG. 1, at PEA 120 via local network 100; see col. 11, line 59-65; see col. 12, line 25-30**), wherein said second frame comprises an association identifier (**see FIG. 6, stream no. 620; see col. 6, line 50-65**)

and uses said first address as the medium control access address for said apparatus in said local area network (**see FIG. 11, S1140, assign message includes stream no. and MAC/AMAC 610 of PEA 120 as a new assigned address in a local network; see col. 11, line 55-65**);

wherein said second address (**see FIG. 6, 11, a new assigned address is created based on combined address/tag of a MAC/AMAC 610 and stream no. 620**) is a combination of (1) a portion of said first address (**see FIG. 6, AMAC 610**) and (2) at least a portion of said association identifier (**see FIG. 6, stream no. 620; see col. 10, line 50-65; see col. 11, line 30-65; a new assigned address is created based on combined address/tag of a portion/share/piece of MAC/AMAC 610 and a portion/share/piece of stream no. 620**).

Donaghey further discloses a processor (s**ee FIG. 2, digital control logic (DCL) 220; see FIG. 4, DCL 460**) for assigning an association identifier to said station (**see col. 4, line 10-42; col. 6, line 50-65; DCL places/assigns stream number 620 to PEA 120**). Thus, it is also clear that stream number is placed/assigned to PEA 120 who is transmitting the stream.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ***the stream number is not assigned to the PEA itself***) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thus, arguing "the stream number is not assigned to the PEA itself" is irrelevant since nowhere in the broad claim recites, "an association identifier is "directly/itself", "indirectly" assigned to said station as station identifier".

Since Donaghey clearly discloses the argued limitation in independent claim 16 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claims 17, 18, and 20.

B. Claims 4, 9, 14, and 19 which are rejected under 35 USC § 103(a) in view of Donaghey and Cannon

1. Claim 4

Regarding claim 4, the applicant argued that, "…for at least the reason that independent claim 1 is allowable over the cited references of the record, dependent claim 4 is allowable…" in pages 19-20.

In response to applicant's argument, the examiner respectfully disagrees with argument above. Since Donaghey clearly discloses the argued limitation in independent claim 1 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claim 4.

2. Claim 9

Regarding claim 9, the applicant argued that, "…for at least the reason that independent claim 6 is allowable over the cited references of the record, dependent claim 9 is allowable…" in pages 20-21.

In response to applicant's argument, the examiner respectfully disagrees with argument above. Since Donaghey clearly discloses the argued limitation in independent claim 6 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claim 9.

3. Claim 14

Regarding claim 14, the applicant argued that, "…for at least the reason that independent claim 11 is allowable over the cited references of the record, dependent claim 14 is allowable…" in pages 20-21.

In response to applicant's argument, the examiner respectfully disagrees with argument above. Since Donaghey clearly discloses the argued limitation in independent claim 11 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claim 14.

4. Claim 19

Regarding claim 19, the applicant argued that, "…for at least the reason that independent claim 16 is allowable over the cited references of the record, dependent claim 19 is allowable…" in pages 21-22.

In response to applicant's argument, the examiner respectfully disagrees with argument above. Since Donaghey clearly discloses the argued limitation in independent claim 16 as set forth above, Donaghey also discloses the claimed invention set forth in dependent claim 19.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Conclusion

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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